REMARKS

At the time of the Second Office Action dated December 20, 2007, claims 1-11 were pending in this application. Claims 5-6 and 10 were rejected, and claims 1-4, 7-9, and 11 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. § 1.142(b). Claims 5 and 6 have been amended to clarify the limitations recited therein. Claim 12 has been added.

On page 2 of the Second Office Action, the Examiner objected to claims 5 and 6. In response, Applicants note that claims 5 and 6 have been amended to address these issues.

CLAIMS 5 AND 10 ARE REJECTED UNDER 35 U.S.C. § 102 AS BEING ANTICIPATED BY MELTZER ET AL., U.S. PATENT NO. 6,125,391 (HEREINAFTER MELTZER)

On pages 5 and 6 of the Second Office Action, the Examiner asserted that Meltzer discloses the invention corresponding to that claimed. This rejection is respectfully traversed.

The factual determination of anticipation under 35 U.S.C. § 102 requires the identical disclosure, either explicitly or inherently, of each element of a claimed invention in a single reference.[1] Moreover, the anticipating prior art reference must describe the recited invention with sufficient clarity and detail to establish that the claimed limitations existed in the prior art and that such existence would be recognized by one having ordinary skill in the art.[2] As part of this analysis, the Examiner must (a) identify the elements of the claims, (b) determine the

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[1] In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888, 894, 221 USPQ 669, 673 (Fed. Cir. 1984).
[2] See In re Spada, 911 F.2d 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

meaning of the elements in light of the specification and prosecution history, and (c) identify

corresponding elements disclosed in the allegedly anticipating reference.[3]

Applicants note that claims 5 and 6 have been amended to clarify the limitations recited

therein. Specifically, independent claim 5 has been amended to now reads as follows:

> A method of converting Enterprise Resource Planning (ERP) data in a database managed by an ERP application and accessed through an ERP application programming interface (API) and ERP Message Agent API (MAAPI) to strongly typed data in a Java object comprising the steps of:
>
> reading an eXtensible Markup Language (XML) file containing a definition of said Java object and attributes of the Java object; or
>
> parsing said XML file to identify the definition and the attributes of the Java object; and
>
> creating the Java object based upon the definition and the attributes; and
>
> populating said Java object with data from said ERP data.

Referring to independent claim 5, as claimed, an XML file/HTML statement are both

parsed to identify a definition and attributes of the object and a presentation format. The object

is created with the definition and attributes and then populated with ERP data. These limitations,

however, are not identically disclosed by Meltzer.

Referring to Figs. 4 and 12 of Meltzer, Meltzer teaches receiving a document at a

network interface (i.e., steps 400, 1200). The document is parsed (i.e., steps 402, 1201). Upon

parsing the document, the document is translated to the format of the host (i.e., steps 403, 1202).

A process is executed in the host (using the translated document), and the process produces an

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[3] Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

output (i.e., steps 405, 1204-1207). In Fig. 4, the output document is forwarded directly to the

destination (i.e., step 407), and in Fig. 12, the output is translated from the format of the host

(i.e., the reverse of step 1202) to the format of the original document (i.e., step 1208) and then

forwarded to the participant node (i.e., step 1209).

Although Meltzer teaches that XML logic structures are translated into Java objects (see

column 26, lines 27-28), the data that the Java objects are populated with are from the XML

element (i.e., from the original document) and not from ERP data, as claimed (see column 26,

lines 28-29).

Thus, for above-described reasons, the Examiner has failed to establish that Meltzer

identically discloses the claimed invention, as recited in independent claims 5-6 and 10. Applicants,

therefore, respectfully submit that the imposed rejection of claims 5-6 and 10 under 35 U.S.C. § 102

for anticipation based upon Meltzer is not factually viable and, hence, solicit withdrawal thereof.

Dependent claim 11 has been added to clarify that a HyperText Markup Language

(HTML) statement that specifies a presentation format is read, the HTML statement is parsed to

identify the presentation format, and the strongly typed data in the Java object is transformed

using the presentation format. These features are also not identically disclosed by Meltzer.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Although Applicants believe that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

> When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction. (emphasis added)

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

Date: March 19, 2008   Respectfully submitted,

                                                  /Scott D. Paul/
                                                  Scott D. Paul
                                                  Registration No. 42,984
                                                  Steven M. Greenberg
                                                  Registration No. 44,725
                                                  Phone: (561) 922-3845
                                                  CUSTOMER NUMBER 46320